REMARKS

Claims 1-22 are pending in the instant application. Claims 1, 8, and 13 have been amended, claims 20-22 have been canceled, and claims 23-26 have been added, leaving claims 1-19 and 23-26 for consideration upon entry of the present Amendment.

Claims 1-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art ("AAPA") in view of Yamauchi et al. (U.S. Patent No. 5,640,067) ("Yamauchi"). For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996).

Claims 1, 8, and 13 have been amended. Support for the amendment can be found at page 13, line 5 to page 14, line 8 and Figure 4B. Claims 1 and 8, as amended, include the following limitation: "a planarization insulating film covers said refractory metal layer, wherein said anode is formed on said planarization insulating film, a contact hole is formed through the planarization insulating film, and said anode partially extends to said contact hole and said anode is in contact with said refractory metal layer." Claim 13 includes a similar limitation, as follows: "a planarization insulating film covers said refractory metal layer; an anode is formed on said planarization insulating film; and a contact hole is formed through the planarization insulating film, wherein said anode partially extends to said contact hole and said anode is in contact with said refractory metal layer."

First, AAPA and Yamauchi do not teach or suggest all of the limitations of claims 1, 8, and 13. Neither AAPA nor Yamauchi teach or suggest a planarization insulating film that covers the refractory metal. While AAPA does teach a planarization insulating film, AAPA does not teach or suggest the use of a refractory metal layer. Thus, AAPA does not teach or suggest a planarization insulating film that cover a refractory metal layer. Moreover, Yamauchi does not teach or suggest a planarization insulating film and

thus, does not teach or suggest a planarization insulating film that covers a refractory metal layer.

Second, it is also not obvious to combine the planarization layer in AAPA with the refractory metal layer of Yamauchi. Even though AAPA teaches a planarization layer and Yamauchi may teach a refractory metal layer, there is no teaching between the two references that the planarization insulating film **covers** the refractory metal layer. In fact, Yamauchi actually teaches away from having the planarization layer cover the refractory metal layer because the first refractory metal layer 111 and the second refractory metal layer 112 are covered by the conductive lead 114.

Moreover, AAPA, Yamauchi, and the knowledge generally available in the art at the time of the invention do not contain the suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references to reach the claimed subject matter. The motivation for the limitation of having the planarization insulating film cover the refractory metal layer comes from Applicants' disclosure.

For at least the foregoing reasons, AAPA and Yamauchi fail to teach all the limitations as recited in claims 1, 8, and 13. In addition, claims 2-7 include all of the limitations of claims 1, claims 9-12 include all of the limitations of claim 8, and claims 14-19 include all of the limitations of claim 13. Thus, AAPA and Yamauchi fail to teach all of the limitations recited in those claims. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-19 under 35 U.S.C. § 103(a).

Applicants have also added new dependent claims 23-26. Claims 23-24 include all of the limitations of claims 1 and claims 25-26 include all of the limitations of claim 8. Thus, for the reasons discussed above, claims 23-26 are allowable. In addition, claims 23-26 also include limitations not taught or suggested by AAPA and Yamauchi. Neither AAPA nor Yamauchi teach or suggest that the refractory metal layer of the source region is substantially identical in shape to the refractory metal layer of the drain region. AAPA and Yamauchi also do not teach or suggest that the conductive layer of the source region is identical in shape to the conductive layer drain region. Accordingly, Applicants respectfully request that claims 23-26 be allowed.

In addition, attached hereto is a marked-up version of the changes made to the application. The attached page is captioned "**Version with Markings to Show Changes Made.**"

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application

be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

SUZUKI, ET AL

CANTOR COLBURN LLP
Applicants' Attorneys

By: Lisa Bongiovi
Lisa A. Bongiovi
Registration No. 48,933

Date: July 25, 2002
Address: 55 Griffin Road South, Bloomfield, CT 06002
Telephone: (860) 286-2929
Customer No.: 23413

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please amend claims 1, 8, and 13 in "marked up" format, as follows:

1. (Amended twice/Marked up) An organic electroluminescence device comprising:

an organic electroluminescence element and a thin film transistor which are formed on a substrate; said organic electroluminescence element having at least an organic emissive layer disposed between an anode and a cathode; said thin film transistor controlling a current flowing to said organic electroluminescence element; said thin film transistor having an active layer made of a semiconductor material; ~~and~~

a refractory metal layer connecting a source region or drain region of said thin film transistor to said anode of said organic electroluminescence element, said refractory metal layer, one of said source region and drain region, and said anode being laminated in a thickness direction of said substrate~~.~~; and

a planarization insulating film covers said refractory metal layer,

wherein said anode is formed on said planarization insulating film, a contact hole is formed through the planarization insulating film, and said anode partially extends to said contact hole and said anode is in contact with said refractory metal layer.

8. (Amended twice/Marked up) An organic electroluminescence device comprising:

pixels, each of said pixels including an organic electroluminescence element and a thin film transistor, said organic electroluminescence element having an emissive layer disposed between an anode and a cathode, said thin film transistor controlling a current flowing from a power source line to said organic electroluminescence element, said thin film transistor having an active layer made of a semiconductor material; and

a contact between one of a source and drain in said active layer and said anode of said organic electroluminescence element, and between the other of said source and drain in said active layer and said power source line, said contact being achieved through a refractory metal layer, said refractory metal layer, one of said source and drain, and said anode being laminated in a thickness direction of said organic electroluminescence device~~.~~; and

a planarization insulating film covers said refractory metal layer,

wherein said anode is formed on said planarization insulating film, a contact hole is formed through the planarization insulating film, and said anode partially extends to said contact hole and said anode is in contact with said refractory metal layer.

13. (Amended twice/Marked up) A light emitting device comprising:

an emissive element having an emissive layer between a first electrode and a second electrode;

a thin film transistor for controlling power supplied to said emissive element, said thin film transistor having an active layer made of a semiconductor material; and

a refractory metal layer connecting a first electrode region in said active layer to said first electrode of said emissive element, said refractory metal layer, said first electrode region and said first electrode being laminated in a thickness direction of said light emitting device;

a planarization insulating film covers said refractory metal layer;

an anode is formed on said planarization insulating film; and

a contact hole is formed through the planarization insulating film,

wherein said anode partially extends to said contact hole and said anode is in contact with said refractory metal layer.